

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
JANUARY 3, 2011 – 11:00 AM
PWC ADMINISTRATION BUILDING – 4TH FLOOR
PWC COMMISSIONERS' CONFERENCE ROOM
955 OLD WILMINGTON HIGHWAY
REGULAR MEETING (RECONVENED)
MINUTES

The Cumberland County Board of Commissioners met in regular session at 9:00 a.m. on January 3, 2011 at 117 Dick Street on the first floor in Room 118. During that meeting, Chairman Edge advised after the two closed session items, the regular meeting would be recessed and reconvened at 11:00 a.m. at the PWC Administration Building located at 955 Old Wilmington Highway.

CUMBERLAND COUNTY BOARD OF COMMISSIONERS

PRESENT: Commissioner Kenneth Edge, Chairman
Commissioner Marshall Faircloth, Vice-Chairman
Commissioner Jeannette Council
Commissioner Charles Evans
Commissioner Jimmy Keefe
Commissioner Billy King
Commissioner Ed Melvin
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Assistant County Manager
James Lawson, Assistant County Manager
Rick Moorefield, County Attorney
Sally Shutt, Communications and Strategic Initiatives Manager
Candice White, Deputy Clerk to the Board
Marie Colgan, Clerk to the Board

PUBLIC WORKS COMMISSIONER BOARD MEMBERS

PRESENT: Bobby Hurst, Fayetteville City Council/PWC Board Liaison
Luis J. Olivera, Chairman
Michael G. Lallier, Vice-Chairman
Wilson A. Lacy, Secretary
Terri Union, Treasurer
Stephen K. Blanchard, CEO/General Manager
James Rose, Chief Administrative Officer
David Trego, Chief Operations Officer, Electric Systems
Mick Noland, Chief Operations Officer, Water Resources
Carolyn Justice-Hinson, Communications/Community Relations Manager
Joan Starling, Sr. Executive Assistant/Clerk to the PWC Board

OTHERS

PRESENT: Press

1. REGULAR BUSINESS

A. CALL TO ORDER

PWC Commissioner Olivera called to order the special joint meeting of the Public Works Commission (PWC) Board with the Cumberland County Board of Commissioners.

Commissioner Edge called to order the reconvened meeting of the Cumberland County Board of Commissioners with the PWC Board.

B. APPROVAL OF AGENDA

MOTION: PWC Commissioner Lacy moved to approve the agenda as presented.

SECOND: PWC Commissioner Lallier

VOTE: UNANIMOUS

MOTION: Commissioner Melvin moved to approve the agenda as presented.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS

2. DISCUSS THE GRAY'S CREEK WATER AND SEWER DISTRICT WHOLESALE WATER CONTRACT

PWC Commissioner Olivera referenced the Gray's Creek Water and Sewer District wholesale water contract as executed by both parties and stated he appreciated both parties working diligently over the past weeks to finalize the contract. PWC Commissioner Olivera further stated he looked forward to both parties continuing to work together on matters of mutual concern and hoped this would serve as a template for how both bodies could work together.

Commissioner Edge stated he was glad the details had been worked out and thanked PWC and county staff for their efforts. Commissioner Edge further stated he hoped the residents of Gray's Creek would support the bond referendum for future placement on a ballot.

PWC Commissioner Olivera stated Carolyn Justice-Hinson, PWC Communications and Community Relations Manager, would be available to assist with providing information to the residents of Gray's Creek.

3. DISCUSS ISSUES OF MUTUAL CONCERN

PWC Commissioner Olivera stated he had given considerable thought about how best to talk about lines of communication not being as open and fluid as they should be between PWC and the county. PWC Commissioner Olivera further stated he felt it was important

when communications break down and either the county's or PWC's efforts appear to become frustrated, that the respective bodies pick up the phone or meet in person to clear up issues before comments appear in the newspaper. PWC Commissioner Olivera stated PWC hopes to have a long standing relationship with the county to extend water throughout the county; Gray's Creek Water and Sewer District served as a good example. PWC Commissioner Olivera opened the floor for dialogue.

Commissioner Edge stated this was a good first step and the first opportunity he could recall that the County Commissioners had to meet with the PWC Board. Commissioner Edge further stated he hoped this would continue and that as issues arise, the two bodies could sit across the table from each other rather than depend on management to do all of the communicating. Commissioner Edge expressed his appreciation to the PWC Board for extending their hand to the County Commissioners and stated the County Commissioners would be willing to meet with the PWC Board.

Commissioner Evans inquired whether there would be an opportunity for residents of the Gray's Creek Water and Sewer District to receive information and ask questions prior to the bond referendum. PWC Commissioner Lallier stated there would be an opportunity for PWC and the county to show they are joined together and that it would be in everyone's best interest to have the PWC Board and County Board of Commissioners to work with their respective public relations staff in order to provide accurate information and clear up any misunderstandings residents may have. Discussion between both bodies followed regarding marketing efforts, community meetings and identifying residents within the community who would be willing to advocate for clean water.

Commissioner Faircloth stated if the bond referendum is to pass, resident concerns that will need to be addressed are the water rates and whether the City of Fayetteville will annex Gray's Creek. PWC Commissioner Olivera stated PWC can talk about what the rate will be, but the county will likely need to have negotiations with the City of Fayetteville in order to find out their position regarding annexation. Stephen K. Blanchard, PWC CEO/General Manager, stated the agreement the city and the county signed identified rural water districts, to include Gray's Creek. Mr. Blanchard further stated his understanding of the rural water design is that it would not be advantageous for the City of Fayetteville because it would likely not meet the city's standards and fire protection needs. Mr. Blanchard stated should the city decide to annex Gray's Creek, the city would have to put in sewer and rebuild the entire water system to a higher standard. PWC Commissioner Olivera introduced Fayetteville City Council Member Bobby Hurst as the city's new liaison to the PWC Board. Discussion between both bodies continued.

PWC Commissioner Lallier stated issues have sometimes been tried in the newspaper by staff members without administrative personnel or appointed and elected officials having had an opportunity to address the concerns. PWC Commissioner Lallier further stated he had prepared a draft resolution for consideration by both bodies regarding communication on projects both now and in the future. PWC Commissioner introduced the following resolution:

**RESOLUTION OF THE COUNTY OF CUMBERLAND AND
THE PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE
CONCERNING COMMUNICATIONS**

WHEREAS, the County of Cumberland (CC) and the Public Works Commission of the City of Fayetteville (PWC) are mutually engaged in providing utility services to the citizens of Cumberland County; and

WHEREAS, both parties will sometimes by necessity approach utility projects from a different perspective; and

WHEREAS, because of these different perspectives, conflicts, disputes and differences in opinion between CC and PWC may occur from time-to-time; and

WHEREAS, CC and PWC Commissioners recognize a process and procedure will ultimately serve the citizens of Cumberland County and the ratepayers of PWC in a more satisfactory and efficient manner.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY OF CUMBERLAND AND THE PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE THAT:

- 1: Project Initiation. When CC staff initiates or inquires about a new project that may involve the participation of PWC, CC staff will copy the County Commissioners, PWC Commissioners, the County Manager and PWC General Manager with an initial letter or e-mail describing the proposed new project with as much detail as possible.
- 2: On Going Communication. Staff from both the County and PWC will keep Commissioners, the County Manager and PWC General Manager up-to-date with the progress of any new project and in particular these communications will note any potential conflict or dispute as soon as they might occur.
- 3: Manager Involvement. The County Manager and PWC General Manager will meet with their respective staff members regarding any conflict or dispute as soon as it is identified. They will in turn meet with one another in a timely manner to discuss and attempt to resolve the conflict or dispute.
- 4: Commissioner Involvement. Should the County Manager and PWC Manager not be successful in resolving the conflict or dispute in a timely manner, they will immediately notify their respective Commissioners of the impasse. The Chairpersons for both organizations will schedule a meeting with the County Manager, the PWC General

Manager and appropriate staff members to discuss the issue and attempt a resolution. Should a resolution to the conflict or dispute not be forthcoming, the Chairpersons will schedule a joint meeting of both organizations to attempt a resolution.

5: Communication to Outside Parties. CC and PWC Commissioners, Managers and Staff will limit discussion of any conflict, dispute or difference of opinion to their consultants, legal representatives or other professionals who might aid or assist in an appropriate and timely resolution. While they might be contacted by the media as a result of public communications, they will not initiate conversations with the media.

6: Annual Meeting. Both organizations will meet at least once annually to discuss projects of mutual interest to the citizens of Cumberland County and the ratepayers of PWC, as well as to evaluate the success of projects begun or completed during the past year. Special emphasis will be place on improving the level of communication and trust between both organizations at these annual meetings.

7. Effective Date. This Resolution shall take effect on the date of adoption by both parties.

PASSED AND APPROVED by the County of Cumberland and the Public Works Commission of the City of Fayetteville this the _____ day of _____, 2011.

COUNTY OF CUMBERLAND

Kenneth S. Edge, Chairman

ATTEST:

By: _____
Marie Colgan, Clerk
Board of Cumberland County Commissioners

PUBLIC WORKS COMMISSION OF THE
CITY OF FAYETTEVILLE, NC

Luis J. Olivera, Chairman

ATTEST:

By: _____
Wilson A. Lacy, Secretary

Commissioner Edge concurred that ongoing communication and involvement of both bodies' respective managers is needed. Commissioner Edge stated however he cannot support Section 5, Communication to Outside Parties, because he does not believe it is the intent of staff, administration, or the County Commissioners to relay anything to the media that is perceived to be a conflict. Commissioner Edge stated the county does not have any control over what is written in the newspaper and the way in which newspaper articles are written does not always reflect what was meant. Following discussion, consensus of both bodies was to remove Section 5, Communication to Outside Parties.

MOTION: PWC Commissioner Lallier moved to adopt the resolution as introduced with Section 5. Communication to Outside Parties being removed and submit it to the Cumberland County Board of Commissioners for consideration at that Board's next meeting.

SECOND: PWC Commissioner Union

VOTE: UNANIMOUS

Commissioner King stated he was not sure adoption of a resolution was needed in order for both bodies to move forward because the resolution basically reflected good business practices. PWC Commissioner Olivera stated the spirit of PWC Commissioner Lallier's resolution was to let the county know that the PWC Board is committed to working on its relationship with the county and the sole intent is to solve issues with each other and not with outside sources. Following a brief discussion, Commissioner Edge thanked the PWC Board members for their commitment and stated any successful organization today is based on open communication with mutual trust and respect. Commissioner Edge further stated the Board of County Commissioners would take the resolution as revised under consideration.

4. ADJOURN

MOTION: PWC Commissioner Lacy moved to adjourn.

SECOND: PWC Commissioner Lallier

VOTE: UNANIMOUS

MOTION: Commissioner Keefe moved to adjourn.

SECOND: Commissioner Council

VOTE: UNANIMOUS

There being no further business, the reconvened meeting adjourned at 12:00 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Deputy Clerk to the Board